

MEETINGS TO DATE 8
NO. OF REGULARS 5
NO. OF SPECIALS 3

LANCASTER, NEW YORK
MARCH 16, 1992

A joint meeting of the Town Board and the Planning Board of the Town of Lancaster, New York, was held at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York on the 16th day of March, 1992, at 6:30 P.M. and there were

PRESENT: LUCIAN J. GRECO, SUPERVISOR
ROBERT H. GIZA, COUNCILMAN
DONALD E. KWAK, COUNCILMAN
PATRICK C. POKORSKI, COUNCILMAN
THOMAS H. VAN NORTWICK, COUNCILMAN
GEORGE E. O'NEIL, PLANNING BOARD CHAIRMAN
JOHN P. GOBER, PLANNING BOARD MEMBER
HENRY R. SCHENK, PLANNING BOARD MEMBER
DONNA G. STEMPIAK, PLANNING BOARD MEMBER
MELVIN H. SZYMANSKI, PLANNING BOARD MEMBER

ABSENT: MILDRED F. WHITTAKER, PLANNING BOARD MEMBER
JOHNSTON N. REID, JR., PLANNING BOARD MEMBER

ALSO PRESENT: ROBERT P. THILL, TOWN CLERK
JOSEPH F. REINA, ATTORNEY
ROBERT L. LANEY, BUILDING INSPECTOR
ROBERT H. LABINSKI, TOWN ENGINEER
JAMES JANKOWIAK, DEPUTY COMMISSIONER,
ERIE COUNTY DEPARTMENT OF PARKS

PURPOSE OF MEETING:

This joint meeting of the Town Board and Planning Board of the Town of Lancaster was held for the purpose of acting as a Municipal Review Committee for a State Environmental Quality Review of two actions.

**IN THE MATTER OF THE SEQR REVIEW OF THE
VALU HOME CENTER SITE PLAN**

The joint boards proceeded with the short Environmental Assessment Form on the Valu Home Center Site Plan matter with an item for item review and discussion of the project impact and magnitude as outlined on the Short Environmental Assessment Form, entitled "Part II Environmental Assessment", which was provided to each member.

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THE FOLLOWING RESOLUTION WAS OFFERED BY
PLANNING BOARD MEMBER STEMPNIAK
WHO MOVED ITS ADOPTION, SECONDED BY
PLANNING BOARD MEMBER SCHENK, TO WIT:

RESOLVED, that the following Negative Declaration be adopted.

NOTICE OF DETERMINATION:
VALU HOME CENTER SITE PLAN
NEGATIVE DECLARATION

PLEASE TAKE NOTICE, that the Town of Lancaster, acting as the designated lead agency under the State Environmental Quality Review Act, has reviewed the following described proposed action, which is an unlisted action, through its designated Municipal Review Committee, and that committee having found no significant environmental impact, the lead agency, now issues a Negative Declaration for the purposes of Article 8 of the Environmental Conservation Law.

NAME AND ADDRESS OF LEAD AGENCY

Town of Lancaster
21 Central Avenue
Lancaster, New York 14086
Joseph F. Reina, Town Attorney
716-684-3342

NATURE, EXTENT AND LOCATION OF ACTION:

The proposed development is of a parcel involving approximately 7+ acres.
The location of the premises being reviewed is at 4863 Transit Road.

REASONS SUPPORTING DETERMINATION

The lead agency, the Town of Lancaster, through the review of the Municipal Review Committee, which is made up of at least three (3) members of the Town Board of the Town of Lancaster together with at least three (3) members of the Planning Board of the Town of Lancaster, has found, in their item for item completion of the Short Environmental Assessment Form on this proposed action as follows:

- A. The action does not exceed any type 1 threshold in 6 NYCRR, Part 617.12.
- B. The action will receive coordinated review as provided for unlisted actions in 6 NYCRR, Part 617.6.
- C. The proposed action will not result in any adverse effects associated with the following: (except as noted)
 - C.1 Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems.
A small to moderate impact is noted for increased traffic and surface

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water runoff. A detention basin is provided in the site plan. A traffic study has been completed and shows a negligible impact.

- C.2 Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character.

No adverse effects noted

- C.3 Vegetation or fauna, fish, shellfish or wildlife species significant habitats, or threatened or endangered species.

No adverse effects noted

- C.4 A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources.

No adverse effects noted

- C.5 Growth, subsequent development, or related activities likely to be induced by the proposed action. Any subsequent development of this property parcel to the east could impact a wetland area. Present site plan before committee do not impact wetland.

- C.6 Long term, short term, cumulative, or other effects not identified in C1-C5.

No adverse effects noted

- C.7 Other impacts (including changes in use of either quantity or type of energy.

No adverse effects noted

- D. There is not, nor is there likely to be, controversy related to potential adverse environmental impacts.

s/s _____

Lucian J. Greco, Supervisor
Town of Lancaster

March 16, 1992

and,

BE IT FURTHER

RESOLVED, that the Town Attorney's Office prepare and file a "Negative Declaration" Notice of Determination of Non-Significance in this matter with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal and "Negative Declaration" with the Town Clerk.

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The question of the adoption of the foregoing Notice of Determination was duly put to a vote on roll call which resulted as follows:

SUPERVISOR GRECO	VOTED YES
COUNCILMAN GIZA	VOTED YES
COUNCILMAN KWAK	VOTED YES
COUNCILMAN POKORSKI	VOTED YES
COUNCILMAN VAN NORTWICK	VOTED YES
PLANNING BOARD CHAIR. O'NEIL	VOTED YES
PLANNING BOARD MEMBER GOBER	VOTED YES
PLANNING BOARD MEMBER REID	WAS ABSENT
PLANNING BOARD HENRY SCHENK	VOTED YES
PLANNING BOARD MEMBER STEMPIAK	VOTED YES
PLANNING BOARD MEMBER SZYMANSKI	VOTED YES
PLANNING BOARD MEMBER WHITTAKER	WAS ABSENT

The Notice of Determination was thereupon unanimously adopted.

March 16, 1992

**IN THE MATTER OF THE SEQR REVIEW OF THE
PROPOSED GLEN HOLLOW SUBDIVISION**

The joint board then proceeded with the Environmental Assessment on the proposed Glen Hollow Subdivision matter with an item for item review and discussion of the project impact and magnitude as outlined on an Full Environmental Assessment Form Part 2 which was provided to each member.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN GIZA WHO MOVED ITS
ADOPTION, SECONDED BY PLANNING BOARD
CHAIRMAN O'NEIL, TO WIT:

RESOLVED, that the following Negative Declaration be adopted:

**NOTICE OF DETERMINATION
PROPOSED GLEN HOLLOW SUBDIVISION
NEGATIVE DECLARATION**

PLEASE TAKE NOTICE, that the Town of Lancaster, acting as the designated lead agency under the State Environmental Quality Review Act, has reviewed the following described proposed action, which is a Type 1 action, through its designated Municipal Review Committee, and that committee having found no significant environmental impact, the lead agency, now issues a Negative Declaration for the purposes of Article 8 of the Environmental Conservation Law.

NAME AND ADDRESS OF LEAD AGENCY

Town of Lancaster
21 Central Avenue
Lancaster, New York 14086
Joseph F. Reina, Town Attorney
716-684-3342

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NATURE, EXTENT AND LOCATION OF ACTION:

The proposed development is of a parcel involving approximately 58 acres.

The location of the premises being reviewed is on the north side of William Street, west of Bowen Road.

The lead agency, the Town of Lancaster, through the review of the Municipal Review Committee, which is made up of at least three (3) members of the Town Board of the Town of Lancaster together with at least three (3) members of the Planning Board of the Town of Lancaster, has found the proposed action impacts to be as follows:

1. The proposed action will result in a small to moderate physical change to the project site. Construction is estimated to continue for more than one year.
2. The proposed action will not effect any unique or unusual land forms found on the site.
3. The proposed action will not affect any water body designated as protected.
4. The proposed action will not affect any non-protected existing or new body of water.
5. The proposed action will have a small to moderate affect on surface or ground water quality or quantity. Siltation may occur during construction.
6. The proposed action will have a small to moderate affect upon drainage flow patterns and surface water runoff. The developer must satisfactorily address concerns of the Erie County Department of Planning enumerated in their letter of March 13, 1992 to Supervisor Greco.
7. The proposed action will not affect air quality.
8. The proposed action will have a small to moderate affect on threatened or endangered species. Some chemical treatment applied to residential lawns anticipated.
9. The proposed action will not substantially affect non-threatened or endangered species.
10. The proposed action will not affect agricultural land resources.
11. The proposed action will not affect aesthetic resources.
12. The proposed action will not impact any site or structure of historic, pre-historic or paleontological importance.

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13. The proposed action will not affect the quantity or quality of existing or future open spaces or recreational opportunities.
14. The proposed action will have a small to moderate effect on existing transportation systems, namely increased traffic exiting onto William Street.
15. The proposed action will not affect the community's sources of fuel or energy supply.
16. There will be small to moderate objectional odors, noise, or vibration as a result of this proposed action during construction only.
17. The proposed action will not affect public health and safety.
18. The proposed action will have a small to moderate affect the character of the existing community, namely additional schools, police and fire services.
19. There is not, or is there likely to be, public controversy related to potential adverse environmental impacts.

s/s _____

Lucian J. Greco, Supervisor
Town of Lancaster

March 16, 1992
and,

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster be and is hereby authorized to execute a "Negative Declaration" Notice of Determination of Non-Significance in this matter, and

BE IT FURTHER

RESOLVED, that the Town Attorney's Office prepare and file a "Negative Declaration" Notice of Determination of Non-Significance in this matter with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal and "Negative Declaration" with the Town Clerk.

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The question of the adoption of the foregoing Notice of Determination was duly put to a vote on roll call which resulted as follows:

SUPERVISOR GRECO	VOTED YES
COUNCILMAN GIZA	VOTED YES
COUNCILMAN KWAK	VOTED YES
COUNCILMAN POKORSKI	VOTED YES
COUNCILMAN VAN NORTWICK	VOTED YES
PLANNING BOARD CHAIR. O'NEIL	VOTED YES
PLANNING BOARD MEMBER GOBER	VOTED YES
PLANNING BOARD MEMBER REID	WAS ABSENT
PLANNING BOARD HENRY SCHENK	VOTED YES
PLANNING BOARD MEMBER STEMPNIAK	VOTED YES
PLANNING BOARD MEMBER SZYMANSKI	VOTED YES
PLANNING BOARD MEMBER WHITTAKER	WAS ABSENT

The Notice of Determination was thereupon unanimously adopted.

March 16, 1992

Upon motion duly made, seconded and carried this joint Municipal Review Committee Meeting was adjourned at 7:35 P.M.

Signed

Robert P. Thill

Robert P. Thill, Town Clerk

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MEETINGS TO DATE 9
NO. OF REGULARS 6
NO. OF SPECIALS 3

LANCASTER, NEW YORK
MARCH 16, 1992

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York on the 16th day of March 1992 at 8:00 P.M. and there were

PRESENT: ROBERT H. GIZA, COUNCILMAN
DONALD E. KWAK, COUNCILMAN
PATRICK C. POKORSKI, COUNCILMAN
THOMAS H. VAN NORTWICK, COUNCILMAN
LUCIAN J. GRECO, SUPERVISOR

ABSENT: NONE

ALSO PRESENT: ROBERT P. THILL, TOWN CLERK
JOSEPH F. REINA, TOWN ATTORNEY
ROBERT H. LABENSKI, TOWN ENGINEER
ROBERT L. LANEY, BUILDING INSPECTOR
THOMAS E. FOWLER, CHIEF OF POLICE

PUBLIC HEARING SCHEDULED FOR 8:30 P.M.:

At 8:30 P.M., the Town Board held a Public Hearing to hear all interested persons upon the proposed Local Law No. 1 of the Year 1992 entitled "REGULATION OF OFF-STREET PARKING AREAS", and further designated as Chapter 35 of the Code of the Town of Lancaster.

Affidavits of Publication and Posting of a Notice of a Public Hearing were presented and ordered placed on file.

PROPOSERS	ADDRESS
NONE	
OPPOSERS	ADDRESS
NONE	
COMMENTS	ADDRESS
NONE	
QUESTIONS ONLY	ADDRESS
Donna Stempniak	47 Lombardy Street

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ON MOTION BY COUNCILMAN POKORSKI, AND SECONDED BY COUNCILMAN
VAN NORTWICK AND CARRIED, by unanimous voice vote, the Public Hearing was
closed at 8:35 P.M.

The Town Board, later in the meeting, adopted a resolution,
hereinafter spread at length in these minutes, taking favorable action upon
this matter.

TABLED RESOLUTIONS:

Greco/Pokorski	Petition State Legislature - Home Rule Law Re: Town Assessor - NO ACTION. (Tabled 2/13/92)
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PRESENTATION OF PREFILED RESOLUTIONS BY COUNCILMEN:

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
POKORSKI , TO WIT:

RESOLVED, that the minutes from the Regular Meeting of the Town
Board held on March 2, 1992, be and hereby are approved.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN GIZA	VOTED YES
COUNCILMAN KWAK	VOTED YES
COUNCILMAN POKORSKI	VOTED YES
COUNCILMAN VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

March 16, 1992

File: R.MIN (Pl)

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THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN VAN NORTWICK, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
POKORSKI, TO WIT:

WHEREAS, David Kral, 106 Aurora Street, Lancaster, New York 14086
has applied for a Dumping Permit for property situate at 6440 Broadway, within
the Town of Lancaster, pursuant to Chapter 22-8 of the Code of the Town of
Lancaster, and

WHEREAS, the application was referred to the Building Inspector and
Town Engineer for review and recommendation, and

WHEREAS, the Building Inspector and Town Engineer have completed
their review and made a formal, favorable recommendation to the Town Board,

NOW, THEREFORE, BE IT

RESOLVED, that David Kral, 106 Aurora Street, Lancaster, New York
14086 be and is hereby authorized to dump and dispose of materials outside
permitted sanitary landfills within the Town of Lancaster, namely on premises
owned by the applicant at 6440 Broadway, said dumping to be in strict
conformance with the application of the petitioner as filed in the Office of
the Town Clerk, and

BE IT FURTHER

RESOLVED, that this permit is conditioned in accordance with the
recommendations of the Town Engineer as follows:

1. The proposed fill area and the adjacent areas drain in a north to
northwesterly direction to Town Ditch D5.
2. As a condition for approval, the applicant is required to provide
ditch/culvert structure(s) as required to allow water to continue to
drain around or through the proposed fill area (drainage waters
shall not pond upstream (east) of the fill area as a result of the
operation). Any conveyance structure should be located on the
applicant's parcel.
3. If, in the future, the applicant desires to build to the north of
Town Ditch D5, the applicant will be required to construct the
culvert structure recommended in the Town Engineer's letter of
November 13, 1990., and

BE IT FURTHER

RESOLVED, that pursuant to Chapter 22-8(D)(6) of the Code of the Town of
Lancaster the permit authorization granted herein expires one year from date
of this resolution.

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The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN GIZA	VOTED YES
COUNCILMAN KWAK	VOTED YES
COUNCILMAN POKORSKI	VOTED YES
COUNCILMAN VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

March 16, 1992

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THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GRECO , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
VAN NORTWICK , TO WIT:

WHEREAS, the Supervisor has requested a change and adjustment to a position in the Highway Department of the Town of Lancaster,

NOW, THEREFORE, BE IT

RESOLVED, as follows:

SECTION 1: That the position of Principal Clerk in the Highway Department of the Town of Lancaster, currently held by Rose M. Piccolo, be and is hereby abolished.

SECTION 2: That the position of Highway Maintenance Clerk, Full time (PJC), in the Highway Department of the Town of Lancaster be and is hereby created, and that ROSE M. PICCOLO, 135 Crane Street, Depew, New York, be and is hereby appointed to the newly created position of Highway Maintenance Clerk, Full-time (PJC), effective March 17, 1992, and that the Board hereby acknowledges that the effect of this appointment is that it amounts to a simple change of title and that all aspects of her employment, including but not limited to duties, service accumulation and pay rates remain as they were prior to this title change.

SECTION 3: That the Supervisor of the Town of Lancaster be and is hereby authorized to complete and sign Form PO-17 (New Position Duties Statement) for the purpose of obtaining the appropriate service title for the anticipated position of Highway Maintenance Clerk in the Highway Department of the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN GIZA	VOTED YES
COUNCILMAN KWAK	VOTED YES
COUNCILMAN POKORSKI	VOTED YES
COUNCILMAN VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

March 16, 1992

File: R.PERS.APPT (P3)

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THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN VAN NORTWICK, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK , TO WIT:

WHEREAS, the Executive Director of the Youth Bureau of the Town of Lancaster, by letter dated February 27, 1992, has requested the creation of two additional tutoring positions,

NOW, THEREFORE, BE IT

RESOLVED, That the Town Board of the Town of Lancaster hereby creates two positions of tutor in the Youth Bureau of the Town of Lancaster, and

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster be and is hereby authorized to complete and execute Section 8 of Form PO-17 (New Position Duties Statement) from the Erie County Department of Personnel, indicating that two positions of Tutor in the Youth Bureau of the Town of Lancaster have been created.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN GIZA	VOTED YES
COUNCILMAN KWAK	VOTED YES
COUNCILMAN POKORSKI	VOTED YES
COUNCILMAN VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

March 16, 1992

File: R.PERS.CREATE (P3)

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THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN GIZA, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
POKORSKI, TO WIT:

WHEREAS, the Supervisor of the Town of Lancaster has requested authorization to attend the Sixth Annual Supervisors Forum to be held in Albany, New York from March 22, 1992 through March 24, 1992,

NOW, THEREFORE, BE IT

RESOLVED, that LUCIAN J. GRECO, Supervisor of the Town of Lancaster be and is hereby authorized to attend the Sixth Annual Supervisors Forum to be held in Albany, New York from March 22, 1992 through March 24, 1992, and

BE IT FURTHER

RESOLVED, that expense reimbursement be and is hereby granted in an amount not to exceed \$500.00, and

BE IT FURTHER

RESOLVED, that said reimbursement will be made only upon submission of proper documentation and substantiation of expenses, including receipts, to the Accounting Department of the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN GIZA	VOTED YES
COUNCILMAN KWAK	VOTED YES
COUNCILMAN POKORSKI	VOTED YES
COUNCILMAN VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

March 16, 1992

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN VAN NORTWICK, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
POKORSKI , TO WIT:

WHEREAS, the Town of Lancaster has previously approved the plan for a single-family home subdivision known as Woodgate Subdivision on property located on the west side of Aurora Street, south of William Street in the Town of Lancaster, New York, as prepared by Pratt & Huth Associates, dated December 2, 1991, and

WHEREAS, the subdivision map cover must be filed in the Erie County Clerk's Office within sixty (60) days of Town Board approval, and

WHEREAS, the linen map covers were not submitted within the sixty (60) day period;

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That the Town Board of the Town of Lancaster hereby re-approves the subdivision plan submitted by the developer of Woodgate Subdivision dated and subject to all terms and conditions as set forth in the resolution dated December 16, 1991;

2. The Town Clerk of the Town of Lancaster be and is hereby directed to properly endorse the approval of the Town Board of the Town of Lancaster on the linen copy thereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN GIZA	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
COUNCILMAN POKORSKI	VOTED	YES
COUNCILMAN VAN NORTWICK	VOTED	YES
SUPERVISOR GRECO	VOTED	YES

March 16, 1992

File: R.Reapp.Wdgte.Sub.

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THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GRECO , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK , TO WIT:

RESOLVED, that the following appointments be and are hereby made by
the Town Board of the Town of Lancaster for the period March 16, 1992 to
December 31, 1993:

D'AMORE, ANTHONY, be and is hereby appointed Youth Bureau
Program Coordinator, part-time.

FILIPOWICZ, ALICE, be and is hereby appointed Court Clerk.

PASQUARIELLO, JOHN, be and is hereby appointed Recreation
Director.

TRYANOWSKI, MARION, be and is hereby appointed Supervising
Court Clerk.

and

BE IT FURTHER

RESOLVED, that these appointees shall be compensated at the salary
rate as set forth in the Schedule of Salaries of the Town of Lancaster adopted
by the Town Board for the years 1992 and 1993.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN GIZA	VOTED YES
COUNCILMAN KWAK	VOTED YES
COUNCILMAN POKORSKI	VOTED YES
COUNCILMAN VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

March 16, 1992

File: R.PERS.APPT (P8)

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THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN PORORSKI , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
VAN NORTWICK, TO WIT:

WHEREAS, the Municipal Home Rule Law of the State of New York and Chapter 26 of the Code of the Town of Lancaster provide for the adoption and enactment of Local Laws, and

WHEREAS, proposed Local Law No. 1 of the Year 1992, entitled "REGULATION OF OFF STREET PARKING AREAS", and further designated as Chapter 35 of the Code of the Town of Lancaster, was introduced to the Town Board of the Town of Lancaster on March 2, 1992, by Councilman Pokorski, and

WHEREAS, a Public Hearing was duly called and held pursuant to Law, on March 16, 1992;

NOW, THEREFORE, BE IT

ENACTED, by the Town Board of the Town of Lancaster, New York, Local Law No. 1 of the Year 1992, entitled: "Regulation of Off Street Parking Areas", further designated as Chapter 35 of the Code of the Town of Lancaster, as follows:

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REGULATION OF OFF-STREET PARKING

Chapter 35

REGULATION OF OFF-STREET PARKING

Local Law No. 1
1992

A LOCAL LAW PROVIDING FOR TRAFFIC REGULATION AT OFF-STREET PARKING AREAS

- 35-1. Title.
- 35-2. Purpose.
- 35-3. Definitions.
- 35-4. Request for Such Regulation
- 35-5. Public Notice
- 35-6. Identification of Fire Lanes
- 35-7. Enforcement
- 35-8. Erecting and Maintenance of Such Identification
- 35-9. Penalties for Offenses
- 35-10. Severability
- 35-11. When effective

Be it enacted by the Town of the Town of Lancaster, County of Erie, State of New York, as follows:

35-1. Title.

This Local Law shall be known as "Local Law No. 1 of the Year 1992 Providing for Traffic Regulation at Off-Street Parking Areas in the Town of Lancaster."

35-2. Purpose.

In order to secure safety and protect persons and property from fire, certain off-street parking areas and access roads within the Town of Lancaster outside of the Villages of Lancaster and Depew, shall be regulated as hereinafter provided.

35-3. Definitions.

Words used in the singular shall include the plural. Words used herein shall imply their usual and customary meanings, unless given specific meanings herein:

OFF-STREET PARKING AREA - means an area of real property improved with one or more buildings which are designed to accommodate the parking and standing of motor vehicles and which shall include those areas more particularly described in Chapter 50 "Zoning", Article VII, Section 28 E (1)(a) of the Code of the Town of Lancaster, with the exception of subparagraphs (6) and (14) therein contained.

PERSON - means a natural person, firm, copartnership, association or corporation.

OWNER - includes, in addition to its usual and customary meaning, a person, lessee, receiver, trustee, assignee or other person or entity operating and/or exercising control over an off-street parking area.

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FIRE LANE - is an area near or around the perimeter of a building or on an access road thereto within or on which parking and standing are prohibited and includes those designated by the Town Board pursuant to the Chapter 46, "Vehicle & Traffic" of the Code of the Town of Lancaster.

PARK or PARKING - means the standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers.

STAND OR STANDING - means the stopping of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in receiving or discharging passengers.

VEHICLE - means any and every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, except devices manned by human power.

35-4. Request for such regulation.

- A. The owner of an off-street parking area, the Chief of Police or the Chief of the Fire Department within whose jurisdiction the off-street parking area is located, may submit a written request that such off-street parking area be made subject to regulation hereunder to the Town Clerk.

Upon receipt of the request, the Town Clerk shall refer it to the Town Board. The Town Board may require the applicant to submit additional information as it deems necessary. The Town Board may submit the proposal to other public agencies and submit it to the owner where the request comes from another source, for additional advice and recommendations.

- B. Whenever a new off-street parking area is constructed or an existing one is enlarged, the Town Board may make it subject to regulation under this law without request.

35-5. Public notice.

The Town Board shall hold a public hearing to determine whether an existing or proposed off-street parking area shall be subject to regulation under this law.

35-6. Identification of fire lanes.

After the hearing, the Town Board may establish one or more fire lanes in and upon the off-street parking area if it determines that it is necessary to secure safety and protect persons and property from fire.

The Town Board shall direct the owner of an existing or proposed off-street parking area to erect signs and provide pavement markings necessary to designate the fire lanes established.

Fire lanes in existing off-street parking areas shall not be located so as to eliminate existing parking spaces.

The Town Board and/or Building Inspector may adopt rules and regulations as to number, location and type of signs, devices and pavement markings it deems necessary to carry out the purposes of this Law.

35-7. Enforcement.

No person shall stand or park a vehicle in the fire lane as so established.

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Any vehicle may be removed and stored at the order of the Fire Department and/or the Police Department, if it is:

1. Parked in the fire lane at any time;
2. Parked, abandoned or found unattended in an off-street parking area or access road during a snowstorm, flood, fire or other public emergency where it constitutes an obstruction to traffic or is located where standing or parking is prohibited.
3. Any vehicle removed or stored pursuant to the provisions of this Section, shall be impounded until the owner or operator pays the reasonable cost of removal and storage, which charge shall be in addition to all other penalties under this Law.

35-8. Erecting and Maintenance of such identification.

Any sign, device, or pavement marking to comply with or carry out any order, rule or regulation adopted pursuant to this Local Law shall be erected and maintained by the owner. Failure to erect any such sign, device or marking within the time established therefor by the Town Board, or to thereafter maintain it in accordance with the direction of the Police Department, shall constitute a violation of this Local Law.

35-9. Penalties for offenses.

Each violation of Section 10 of this Law shall be an offense punishable by a term of imprisonment not exceeding fifteen days or a fine not exceeding \$250.00 or both. Each violation of Section 7 of this Law shall be an offense punishable by a term of imprisonment not exceeding five days or a fine not exceeding \$100.00 or both.

35-10. Severability.

If any section, clause or provision of this Local Law or the application thereof to any persons is adjudged invalid, the adjudication shall not effect other sections, clauses or provisions or the application thereof which can be sustained or given effect without the invalid section, clause or provision or application, and to this end the various sections, clauses or provisions of this Local Law are declared to be severable.

35-11. When effective.

This Local Law shall take effect after publication and filing as required by law.

and

BE IT FURTHER

RESOLVED, that the Town Clerk of the Town of Lancaster shall:

1. Immediately post a copy of Local Law No. 1 of the Year 1992 on the Town Bulletin Board;
2. Within ten (10) days, publish a certified copy of the Local Law or abstract thereof describing the same in general terms in the Lancaster Bee, hereby declared the official newspaper for this publication;
3. Maintain a file in the Town Clerk's Office on Local Law No. 1 of the Year 1992, with all proofs of publication and posting required for adoption, and
4. File certified copies of Local Law No. 1 of the Year 1992, within twenty (20) days of adoption with:
 - a) Town Clerk's Office
 - b) Three (3) copies with the Office of the Secretary of State.

This resolution shall take effect immediately and be the only post publication and filing required for adoption of Local Law No. 1 of the Year 1992.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN GIZA	VOTED YES
COUNCILMAN KWAK	VOTED YES
COUNCILMAN POKORSKI	VOTED YES
COUNCILMAN VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

March 16, 1992

32X1

LEGAL NOTICE
NOTICE OF ADOPTION
TOWN OF LANCASTER

PLEASE TAKE NOTICE that there has been adopted by the Town Board of the Town of Lancaster, Erie County, New York, on March 16, 1992, Local Law No. 1 of the Year 1992, entitled: "Regulation of Off Street Parking Areas" briefly described as follows:

"A Local Law to provide for traffic regulation at off-street parking areas in the Town of Lancaster."

March 16, 1992

STATE OF NEW YORK:
COUNTY OF ERIE : ss:
TOWN OF LANCASTER:

THIS IS TO CERTIFY that I, ROBERT P. THILL, Town Clerk and Registrar of Vital Statistics of the Town of Lancaster in the said County of Erie, have compared the foregoing copy of A LEGAL NOTICE OF ADOPTION OF LOCAL LAW with the original thereof filed in my office at Lancaster, New York, on the 16th day of March, 1992, and that the same is a true and correct copy of said original, and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Town this 16th day of March, 1992.

Robert P. Thill
Town Clerk and Registrar of Vital Statistics

32X1

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN GIZA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
VAN NORTWICK, TO WIT:

WHEREAS, the LANCASTER AMATEUR RADIO CLUB, INC., has requested permission from the Town Board to lease a portion of a town-owned building known as the Voting Machine Warehouse Building located at the Town Center, 525 Pavement Road, Lancaster, New York; and

WHEREAS, the Town Board has reviewed this request and has no objection to granting such Lease;

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and is hereby authorized and directed to execute a Lease between the Lancaster Amateur Radio Club, Inc., and the Town of Lancaster subject to the terms and conditions as set forth therein.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN GIZA	VOTED YES
COUNCILMAN KWAK	VOTED YES
COUNCILMAN POKORSKI	VOTED YES
COUNCILMAN VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

March 16, 1992

File: Lease.Radio.Clb.

32x1

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GRECO , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
POKORSKI , TO WIT:

RESOLUTION
REJECTING AND DISAPPROVING THE PROPOSED
COLLECTIVE NEGOTIATIONS AGREEMENT
BETWEEN THE TOWN OF LANCASTER
AND THE
CIVIL SERVICE EMPLOYEES ASSOCIATION, INC.,
TOWN OF LANCASTER WHITE COLLAR UNIT, LOCAL 815

WHEREAS, a proposed collective negotiations agreement between the
Town of Lancaster and the Civil Service Employees Association, Inc., Town of
Lancaster White Collar Unit, Local 815 ("Agreement"), is before the Town
Board for its consideration, and

WHEREAS, the Town Board of the Town of Lancaster has determined that
it is in the best interests of the taxpayers and residents of the Town of
Lancaster and in furtherance of the sound and efficient operation of the Town
government for said proposed Agreement to be rejected and disapproved to the
extent permitted by law and for negotiations to resume between the parties;

NOW, THEREFORE, BE IT

RESOLVED, by the Town Board of the Town of Lancaster:

1. That the proposed Agreement is hereby rejected and disapproved;
and

2. The Town of Lancaster's Special Employee Relations Counsel,
Karl W. Kristoff, Esq., is hereby instructed to contact the Civil Service
Employees Association, Inc., Town of Lancaster White Collar Unit, Local 815,
to resume negotiations in an attempt to reach a tentative Agreement which will
be in the best interests of the taxpayers and residents of the Town of
Lancaster, in furtherance of the sound and efficient operation of Town
government and acceptable to a majority of the Town Board of the Town of
Lancaster.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN GIZA	VOTED YES
COUNCILMAN KWAK	VOTED YES
COUNCILMAN POKORSKI	VOTED YES
COUNCILMAN VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

March 16, 1992

File: csea.wh.coll.loc.815

32x1

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN VAN NORTWICK, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK , TO WIT:

WHEREAS, the Lancaster Volunteer Ambulance Corps, by letter dated
March 12, 1992, has requested the confirmation of four new members to the
membership of said corps,

NOW, THEREFORE, BE IT

RESOLVED, that the following additions be made to the membership of
the Lancaster Volunteer Ambulance Corps:

ADDITIONS

Gregory D. Quinn	Christopher E. Long
8272 Old Post Road	25 Lombardy Street
East Amherst, New York 14051	Lancaster, New York 14086

Christopher W. Peters	Kevin M. Goveia
60 Fourth Avenue	68 Vandenburg Avenue
Lancaster, New York 14086	Lancaster, New York 14086

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN GIZA	VOTED YES
COUNCILMAN KWAK	VOTED YES
COUNCILMAN POKORSKI	VOTED YES
COUNCILMAN VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

March 16, 1992

File: R.LVAC

32X1

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN GIZA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK , TO WIT:

WHEREAS, the Executive Director of the Youth Bureau of the Town of Lancaster, by letter dated March 10, 1992, has requested the Town Board to adopt a fee structure for the Youth bureau's 1992 summer program, and

WHEREAS, said request is the result of state aid cuts,

NOW, THEREFORE, BE IT

RESOLVED, that due to state aid cuts, the following fee structure be and is hereby approved for the Town of Lancaster Youth Bureau's 1992 summer programs to help defray the costs of running these programs:

SUMMER THEATRE WORKSHOP

- \$ 5.00 Registration fee for Town of Lancaster participants to defray cost
- \$10.00 Registration fee for non-residents
- \$ 2.00 Admission fee to performances

TUTORING - ELEMENTARY STUDENTS
(Reading and Math Skills Maintenance Program)

(Registration fee based on ten hourly group tutorial sessions)

- \$10.00 Registration fee for Town of Lancaster participants to defray cost of program
- \$20.00 Registration fee for non-residents

ART CLASSES - ELEMENTARY AND MIDDLE SCHOOL STUDENTS
(Based on ten instructional sessions)

- \$ 5.00 Registration fee for Town of Lancaster participants to defray cost
- \$10.00 Registration fee for non-residents

CREATIVE WRITING WORKSHOPS
(Based on six instructional sessions)

- \$ 6.00 Registration fee for Town of Lancaster participants to defray cost
- \$12.00 Registration fee for non-residents

32X1

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN GIZA	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
COUNCILMAN POKORSKI	VOTED	YES
COUNCILMAN VAN NORTWICK	VOTED	YES
SUPERVISOR GRECO	VOTED	YES

March 16, 1992

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GRECO , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK , TO WIT:

WHEREAS, it is in the public interest to hold a public hearing to allow for general discussion of the low and moderate income needs, especially housing and urgent community needs and to discuss proposals to meet those needs;

NOW, THEREFORE, BE IT

RESOLVED, that a Public Hearing to provide an opportunity for citizens to express community development and housing needs, and the proposed use of Community Development Block Grant Funds for the 1992-93 allocation of \$120,000.00 and to discuss proposed projects or programs to meet those needs, particularly those projects which would benefit low and moderate income persons in the Town of Lancaster, will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 6th day of April, 1992 at 8:30 o'clock P.M., Local Time, and that Notice of the time and place of such hearing be published in the Lancaster Bee, the Official Newspaper, and be posted on the Town Bulletin Board, March 26, 1992, which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN GIZA	VOTED YES
COUNCILMAN KWAK	VOTED YES
COUNCILMAN POKORSKI	VOTED YES
COUNCILMAN VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

March 16, 1992

32X1

**LEGAL NOTICE
NOTICE OF PUBLIC HEARING**

**NOTICE TO THE CITIZENS
OF THE
TOWN OF LANCASTER**

A Public Hearing will be held on April 6, 1992, at 8:30 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, regarding the use of Federal Community Development Funds in the Town of Lancaster.

The Town of Lancaster is eligible for a Federal Community Development Grant under Title I of the Housing and Community Development Act of 1974, as amended in the amount of \$120,000.00.

The purpose of the Public Hearing is to provide an opportunity for citizens to express community development and housing needs and to discuss possible projects or programs to meet those needs, particularly projects which would benefit low and moderate income persons in the Town of Lancaster.

Citizens are urged to attend this meeting to make known their views and/or written proposals on the Town of Lancaster's selection of projects to be funded by the Federal Community Development Grant Program.

The Hearing will also present a review of prior Community Development projects and expenditures and a discussion of eligible activities.

**TOWN BOARD OF THE
TOWN OF LANCASTER**

**BY: LUCIAN J. GRECO
Supervisor**

March 16, 1992

File: R.Comm.Dev.1992

32X1

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
VAN NORTWICK, TO WIT:

WHEREAS, the County of Erie has provided pass through state funds to municipalities to provide youth service and recreation programs since 1978, and

WHEREAS, the County of Erie has withheld \$143,117.00 of Youth Development and Delinquency Prevention dollars for youth services and recreation from Erie County's municipal governments for the fiscal year 1992, and

WHEREAS, the County of Erie and Erie County Municipal governments are in the last year of a three-year comprehensive planning agreement for the purpose of financial planning, and

WHEREAS, the Erie County Youth Service Board determined to release pass through funds for Erie County Municipal governments in 1992, according to the Comprehensive Planning Agreement made between the County of Erie and Erie County Municipal governments, and

WHEREAS, the Erie County Legislature resolved that the County Executive should release the \$143,117.00 for Erie County governments for youth services and recreation;

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That the Lancaster Town Board requests that the total amount of \$143,117.00 of Erie County Youth Services and Recreation dollars be released to Erie County municipal governments as per the County Comprehensive Planning Agreement;

32X1

2. That the Town of Lancaster is entitled to receive \$9,302.00 for youth services and recreation from the County of Erie as per the County Comprehensive Planning Agreement; and

3. That the Town Clerk of the Town of Lancaster be and is hereby directed to furnish a certified copy of this resolution to County Executive, Dennis T. Gorski; the Erie County Legislature; and Erie County Budget Director, Sheila Kee.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN GIZA	VOTED YES
COUNCILMAN KWAK	VOTED YES
COUNCILMAN POKORSKI	VOTED YES
COUNCILMAN VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

March 16, 1992

File: R.St.Yth.Fnds.Fr.Cnty

32X1

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN GIZA, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK, TO WIT;

WHEREAS, the Executive Director of the Youth Bureau, by letter dated March 11, 1992, has recommended the appointment of the following individuals to the position of Tutor with the Youth Bureau of the Town of Lancaster,

NOW, THEREFORE, BE IT

RESOLVED, that KATHLEEN A. CRAWFORD, 22 Wainwright Court, Williamsville, New York 14221 and EDWARD J. KINTZEL, JR., 76 Christen Court, Lancaster, New York 14086 be and are hereby appointed to the position of tutor for work with the Town of Lancaster Youth Bureau program, at an hourly rate of \$6.00, and

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster take the necessary action with the Personnel Officer of the County of Erie to accomplish the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN GIZA	VOTED YES
COUNCILMAN KWAK	VOTED YES
COUNCILMAN POKORSKI	VOTED YES
COUNCILMAN VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

March 16, 1992

File: R.TUTOR (P1)

32x1

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GRECO , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
POKORSKI , TO WIT:

WHEREAS, the Town Board, by resolution dated December 21, 1981, established a Buildings Section under the General Fund of the Town of Lancaster, directly responsible to the Supervisor, and

WHEREAS, the Buildings Section was established for the purpose of providing building maintenance and to oversee certain custodial maintenance and minor repair and improvement to town buildings, and

WHEREAS, the Town Board, in order to properly staff said Buildings Section, had made various employee transfers from the Highway Department, and

WHEREAS, the Town Board, for reasons of efficiency and economy, has determined that it is in the public interest to abolish the Buildings Section;

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. The Buildings Section, established by Town Board dated December 21, 1981, be and the same is hereby abolished, effective March 31, 1992;

2. That the following positions established within the Buildings Section by the Town Board resolution dated December 21, 1981, or thereafter established, be and the same are abolished, effective March 31, 1992:

- a) Foreman-Working Crew Chief
- b) Laborer Caretaker
- c) Maintenance Assistant (2)

and

3. That the Supervisor be and is hereby directed to take whatever action is necessary to abolish the department and said positions.

32X1

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN GIZA	VOTED NO
COUNCILMAN KWAK	VOTED NO
COUNCILMAN PORORSKI	VOTED YES
COUNCILMAN VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

March 16, 1992

File: R.Abolish Bldg.Mtnce.Dept.

32X1

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN VAN NORTWICK, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
POKORSKI, TO WIT:

WHEREAS, Hillview Estates Dev. Corp., 2635 Millersport Highway,
Getzville, New York 14068 has applied to the Town Board of the Town of
Lancaster for a permit to construct a Public Improvement upon real property in
the Town of Lancaster within Hillview Estates, Phase II, and

WHEREAS, the Town Engineer of the Town of Lancaster has certified
on the following permit application that he has reviewed the improvement plans
and permit application for the installation of the public improvements
requested, and that it conforms to the Ordinances of the Town of Lancaster,

NOW, THEREFORE, BE IT

RESOLVED, that Public Improvement Permit Application No. 277 of
Hillview Estates Dev. Corp., 2635 Millersport Highway, Getzville, New York, for
the installation of:

P.I.P. No. 277 - 800+ L.F. 12" HDPE pipe. 650+ L.F. 12" Rcp. 1010+
(Storm Sewer) L.F. 15" HDPE pipe. 335+ L.F. 18" HDPE Pipe.
2275+ L.F. 6" HDPE pipe. 455+ L.F. 8" HDPE pipe.
11 each storm MH's. 15 each RCVRS. 28 each by
RCVRS. 2 each L.D. RCVRS.

be and is hereby approved and the installation of the improvement requested be
and is hereby authorized, subject to the following condition:

No Building Permits shall be issued until Performance Security as
authorized in Chapter 11-6 of the Code of the Town of Lancaster is
provided -- or -- until approval of all Public Improvements,
including lighting and sidewalks, by the Town Engineer and Town
Board, and sewer by Erie County Sewer District No. 4, and conveyance
of Warranty Deed with adequate title insurance and bill of sale of
improvements rights-of-way, and easement, and delivery of two (2)
year maintenance bonds from date of acceptance in the principal sum
of 25% of the total cost of the improvement.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN GIZA	VOTED YES
COUNCILMAN KWAK	VOTED YES
COUNCILMAN POKORSKI	VOTED YES
COUNCILMAN VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

March 16, 1992

File: R.P.I.P. (P9)

32X1

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GRECO, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
VAN NORTWICK, TO WIT:

WHEREAS, the Secretary to the Supervisor, by letter dated March 10, 1992, has requested a leave of absence, without pay, for the period March 30th through April 3rd, 1992 inclusive,

NOW, THEREFORE, BE IT

RESOLVED, that JANET HELLER, Secretary to the Supervisor of the Town of Lancaster, be and is hereby granted a leave of absence, without pay, for the period March 30th through April 3rd inclusive, and

BE IT FURTHER

RESOLVED, that JANET HELLER be and is hereby granted payment for any compensatory time that she may have accumulated by March 30, 1992.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN GIZA	VOTED YES
COUNCILMAN KWAK	VOTED YES
COUNCILMAN POKORSKI	VOTED YES
COUNCILMAN VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

March 16, 1992

File: R.PERS.GENERAL

32x1

PREFILED RESOLUTION NO. 19 - MEETING OF 3/16/92

Greco/_____

Authorize Supervisor to Enter into Repurchase
Transactions and Custody Agreements with Bank of
N.Y.

At the request of Supervisor Greco, this resolution was withdrawn
for further study.

File: R.WITHDRAWN

32X1

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN VAN NORTWICK, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK , TO WIT:

WHEREAS, BERNARD & DeSIMONE, ARCHITECTS, has transmitted a site plan for a proposed Research and Development Office and Laboratory (Electrosynthesis) to be located at the north terminus of Ward Road, north of Walden Avenue in the Town of Lancaster, New York, said plan dated January 24, 1992 and revised February 7, 1992, and

WHEREAS, the Town Board has caused a review of the aforementioned site plan, and

WHEREAS, the Planning Board of the Town of Lancaster has approved the site plan in concept;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby approves the site plan submitted by Bernard & DeSimone, Architects, dated January 24, 1992 and revised February 7, 1992, as filed with the Town Clerk and approved by the Planning Board for the construction of a Research and Development Office and Laboratory to be located at the north terminus of Ward Road, north of Walden Avenue, Lancaster, New York, subject, however, to the following conditions:

1. SEQOR review process and the issuance of a Negative Declaration, and
2. Receipt of a drainage plan acceptable to the Town Engineer and New York State Department of Transportation.
3. Resolution of all items of concern presently before the Town Planning Board.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN GIZA	VOTED YES
COUNCILMAN KWAK	VOTED YES
COUNCILMAN POKORSKI	VOTED YES
COUNCILMAN VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

March 16, 1992

File: R.Aprv.Site.Plan.Electrosyn.

32X1

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GRECO, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK, TO WIT:

RESOLVED, that the following Audited Claims be and are hereby
ordered paid from their respective accounts:

Claim No. 929 to Claim No. 1165 Inclusive.

Total Amount hereby authorized to be paid:

\$617,724.09

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN GIZA	VOTED YES
COUNCILMAN KWAK	VOTED YES
COUNCILMAN POKORSKI	VOTED YES
COUNCILMAN VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

March 16, 1992

File: R.CLAIMS

32X1

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN VAN NORTWICK, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
POKORSKI, TO WIT:

RESOLVED, that the following Building Permit Applications be and are hereby approved and the issuance of these Building Permits be and are hereby authorized:

CODES:

- (T) = Tree Planting Fee tendered to the Town of Lancaster pursuant to the provisions of Chapter 30-26 of the Code of the Town of Lancaster.
- (SW) = Sidewalks as required by Chapter 12-1B. of the Code of the Town of Lancaster.
- (CSW) = Conditional sidewalk waiver.

NO.	CODE	NAME	ADDRESS	STRUCTURE
72	(TABLED)			
73		Hot Diggity's	4723 Transit Rd	TEMP SIGN
74	(TABLED)	<i>approved 6/11/92</i>		
75		Virchau Co. Inc.	213 Warner Rd	ALTER SIN DWLG
76	(T)	Peterson Builders	4 Pondview Ct	ER. SIN. DWLG
77	(T)(SW)	David Olejniczak	432 Townline Rd	ER. SIN. DWLG
78		Charles Lewczyk	176 Ransom Rd	REPAIR BARN
79		James Bolton	503 Aurora St	EXT. SIN. DWLG
80	(T)	Iona Associates	34 Via Donato E	ER. SIN. DWLG
81		M/M Malczewski	5 Charlton Pl	ER. FENCE
82		Paul Eichelberger	1 Rose Hill Cir	ER. DECK, SHED
83	(T)	Kidd Kott Const.	82 Williamsburg La	ER. SIN. DWLG
84		Decks Unlimited	2 Kelly Ann Dr	ER. DECK
85		Black Hat Service	1494 Town Line Rd	INST. FIREPLACE
86	(T)	Peter Prokop	27 Lake Forest Pkwy	ER. SIN. DWLG
87		Ken Tarbox	611 Erie St	ER. FENCE
88		Daniel Andrews	441 Pleasant View Dr	EXT. SIN. DWLG
89	(T)	All Craft Inc.	47 Via Donato E	ER. SIN. DWLG
90	(T)	All Craft Inc.	17 Hillside Pkwy	ER. SIN. DWLG
91	(T)	James & JoAnn Ward	52 Williamsburg Ln	ER. SIN. DWLG
92	(T)	Marrano/Marc Equity	9 Willow Ridge	ER. SIN. DWLG
93	(T)	Marrano/Marc Equity	6 Whitestone Ln	ER. SIN. DWLG
94		J.R. Construction	5380 Genesee St	INSTALL DOOR

and

32X1

BE IT FURTHER

RESOLVED, that Building Permit No. 72 applied for by Guercio Custom Homes to erect an apartment building on premises situate at 3994-3996 Walden Avenue be and is hereby tabled, and

BE IT FURTHER

RESOLVED, that Building Permit No. 74 applied for by DiCom Contruction, to erect an office building on premises situate at 2 Forestream Drive, be and is hereby tabled, and

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby approved with a waiver of the Town Ordinance requirement for sidewalks, and

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded the Ordinance required for sidewalks, however, the waiver is granted upon the condition that the Town of Lancaster, at any future date, has the right to order sidewalk installation at the expense of the property owner.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN GIZA	VOTED YES
COUNCILMAN KWAK	VOTED YES
COUNCILMAN POKORSKI	VOTED YES
COUNCILMAN VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

March 16, 1992

File: R.BLDG (P1-2)

12X1

THE FOLLOWING RESOLUTION WAS OFFERED
 BY COUNCILMAN KWAK, WHO MOVED
 ITS ADOPTION, SECONDED BY COUNCILMAN
 VAN NORTWICK, TO WIT:

WHEREAS, the Town of Lancaster has engaged New York Life to
 administer a Firefighter Service Award Program pursuant to public referendum
 approved on December 30, 1991, and

WHEREAS, New York Life has billed the Town \$39,000 for the first
 instalment due for the program, and

WHEREAS, no appropriation was provided in the 1992 adopted budget of
 the Town of Lancaster due to the fact that the referendum was held subsequent
 to the adoption of said budget

NOW THEREFORE BE IT

RESOLVED that the following budget amendment to the 1992 Adopted
 Budget of the Town of Lancaster be and is hereby approved:

SPECIAL DISTRICTS FUND - FIRE PROTECTION DISTRICT

<u>Acct No.</u>	<u>Account Name</u>	<u>Increase</u>
<u>General Ledger Accounts</u>		
SF599	Appropriated Fund Balance	\$39,000
SF960	Budget Appropriations	39,000
<u>Subsidiary Ledger Accounts - Appropriations</u>		
SF3410.484	Firefighter Service Award Program	39,000

The question of the adoption of the foregoing resolution was duly
 put to a vote on roll call which resulted as follows:

COUNCILMAN GIZA	VOTED YES
COUNCILMAN KWAK	VOTED YES
COUNCILMAN POKORSKI	VOTED YES
COUNCILMAN VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

March 16, 1992

File: BUDGET.AMEND (P3)

32X1

Supervisor Greco requested a suspension of the necessary rule for immediate consideration of the following resolution:

SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GRECO , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
POKORSKI , TO WIT:

WHEREAS, certain members of the Buildings Department have commenced an action in United States District Court seeking to prevent the Town from abolishing their positions, and

WHEREAS, the law firm of Hodgson, Russ, Andrews, Woods and Goodyear has previously been retained as the Town's labor consultant, and

WHEREAS, said law firm has an expertise in Federal practice and procedure;

NOW, THEREFORE, BE IT
RESOLVED, as follows:

1. That the law firm of Hodgson, Russ, Andrews, Woods and Goodyear be retained to represent the Town Board, Highway Superintendent and the Town Supervisor in this litigation, and
2. That the aforesaid firm be compensated on an hourly retainer basis at a rate not to exceed \$139.00 per hour.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN GIZA	VOTED YES
COUNCILMAN KWAK	VOTED YES
COUNCILMAN POKORSKI	VOTED YES
COUNCILMAN VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

March 16, 1992

File: R.Retain.Labor.Consult.

32X1

Councilman VanNortwick requested a suspension of the necessary rule for immediate consideration of the following resolution:

SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN VAN NORTWICK, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
POKORSKI , TO WIT:

WHEREAS, Lancaster Property Associates has transmitted a site plan for a proposed Retail Center to be located on the east side of Transit Road, South of William Street and locally known as 4863 Transit Road, Lancaster, New York as prepared by William Schutt & Associates, Engineers, dated November 11, 1991 and revised November 25, 1991, January 6, 1992 and January 27, 1992, and

WHEREAS, the Town Board has caused a review of the aforementioned site plan, and

WHEREAS, the Planning Board of the Town of Lancaster has approved the site plan;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby approves the site plan submitted by Lancaster Property Associates, as prepared by William Schutt, dated November 11, 1991, and revised November 25, 1991 and further revised January 6, 1992 and January 27, 1992, as filed with the Town Clerk and approved by the Planning Board for the construction of a retail center to be located on the east side of Transit Road, south of William Street and locally known as 4863 Transit Road, Lancaster, New York.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN GIZA	VOTED YES
COUNCILMAN KWAK	VOTED YES
COUNCILMAN POKORSKI	VOTED YES
COUNCILMAN VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

MARCH 16, 1992

32x1

Supervisor Greco requested a suspension of the necessary rule for immediate consideration of the following resolution.

SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GRECO, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK, TO WIT:

WHEREAS, the Town of Lancaster currently participates in the Erie county STOP-DWI Program, and

WHEREAS, the Erie County STOP-DWI Program Coordinator, by letter dated March 9, 1992, has requested participation of the Town of Lancaster in a "Lifesavers Program", and

WHEREAS, the Chief of Police, by memorandum dated March 11, 1992, has requested the Town Board to authorize the participation of the Town of Lancaster in this new "Police Lifesaver Patrol" Program,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the participation of the Police Department of the Town of Lancaster in the "Police Lifesaver Patrol" Program of the Erie County STOP-DWI Program.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN GIZA	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
COUNCILMAN POKORSKI	VOTED	YES
COUNCILMAN VAN NORTWICK	VOTED	YES
SUPERVISOR GRECO	VOTED	YES

March 16, 1992

File: R.STOP.DWI

32X1

STATUS REPORT ON UNFINISHED BUSINESS:

1. Detention Basin - Milton Drive
On September 3, 1991, the Town Board authorized the Supervisor to enter into an agreement with the Village of Lancaster for this remedial work. On October 7, 1991, the Town Board adopted a \$300,000.00 bond resolution to fund this project.
2. Dumping Permit - Diamond "D" Construction, Corp.
On May 2, 1991, this matter was referred to the Town Engineer and Building Inspector for review and recommendation.
3. Dumping Permit - David C. Kral
On January 25, 1991, this matter was referred to the Town Engineer and Building Inspector for review and recommendation. On December 11, 1991, the petitioner submitted a new application for dumping which was referred to the Town Engineer and Building Inspector for review and recommendation. On March 16, 1992, the Town Board approved the dumping permit for the applicant. This item will be removed from future Town Board agendas.
4. Dumping Permit - Walter Mikowski
On March 14, 1990, this matter was referred to the Town Engineer and Building Inspector for review and recommendation.
5. Dumping Permit - Plymouth Land Co. Inc. (Hengerer)
On March 16, 1992, this matter was referred to the Town Engineer and Building Inspector for review and recommendation.
6. Dumping Permit - Thomann & Loewer Asphalt Paving Co.
On March 16, this matter was referred to the Town Engineer and Building Inspector for review and recommendation.
7. Dumping Permit - Gregory ZaFarakis
On November 19, 1990, this matter was referred to the Town Engineer and Building Inspector for review and recommendation.

8. Public Improvement Permit Authorization - Deer Cross Subdivision, Phase I
(Donato) Outstanding Items Only.

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Detention Basin	Yes	No	No	No	n/a
Street Lights	No	No	No	n/a	No
Sidewalks	No	n/a	n/a	n/a	n/a

9. Public Improvement Permit Authorization - Deer Cross Subdivision, Phase II (Donato)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Water Line	Yes	No	No	n/a	Yes
Pavement and Curbs	Yes	No	No	Yes	Yes
Storm Sewers	Yes	No	No	n/a	Yes
Detention Basin	Yes	No	No	No	n/a
Street Lights	No	No	No	n/a	No
Sidewalks	No	n/a	n/a	n/a	n/a

STATUS REPORT ON UNFINISHED BUSINESS (CONT'D)10. Public Improvement Permit Authorization - Foreststream Village Subdivision, Phase I (DiLapo) Outstanding Items Only:

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Floodway Grading	Yes	No	No	No	n/a
Street Lights	Yes	No	No	n/a	No

11. Public Improvement Permit Authorization - Foreststream Village Subdivision, Phase II (DiLapo) Outstanding Items Only:

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Floodway (S. Br.)	Yes	No	No	No	n/a
Street Lights	Yes	No	No	n/a	No

12. Public Improvement Permit Authorization - Foreststream Village Subdivision, Phase III (DiLapo) Outstanding Items Only:

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Street Lights	Yes	No	No	n/a	Yes
Sidewalks	No	n/a	n/a	n/a	n/a

13. Public Improvement Permit Authorization - Grafton Park Subdivision (Donato Developers)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Water Line	Yes	No	No	n/a	No
Pavement and Curbs	Yes	No	No	No	No
Storm Sewers	Yes	No	No	n/a	No
Detention Basin	Yes	No	No	No	n/a
Street Lights	No	No	No	n/a	No
Sidewalks	No	n/a	n/a	n/a	n/a

14. Public Improvement Permit Authorization - Hidden Hollow Subdivision, (Paul M. Dombrowski)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Water Line	Yes	Yes	Yes	n/a	No
Pavement and Curbs	Yes	Yes	Yes	No	No
Storm Sewers	Yes	Yes	Yes	n/a	No
Street Lights	Yes	Yes	No	n/a	No
Sidewalks	No	n/a	n/a	n/a	n/a

15. Public Improvement Permit Authorization - Hillview Estates Subdivision Phase I (Hillview Development)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Water Line	Yes	Yes	Yes	n/a	NB-2-
Pavement and Curbs	Yes	Yes	Yes	NB-1-	NB-2-
Storm Sewers	Yes	Yes	Yes	n/a	NB-2-
Detention Basin	Yes	No	No	No	NB-2-
Street Lights	No	No	No	n/a	No
Sidewalks	No	n/a	n/a	n/a	n/a

NB-1- Filed but not yet returned.

NB-2- Town Attorney has Bill of Sale.

32X1

STATUS REPORT ON UNFINISHED BUSINESS (CONT'D)**16. Public Improvement Permit Authorization - Hillview Estates Subdivision Phase II (Hillview Development)**

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Water Line	No	No	No	n/a	No
Pavement and Curbs	No	No	No	No	No
Storm Sewers	Yes	No	No	n/a	No
Detention Basin	No	No	No	No	n/a
Street Lights	No	No	No	n/a	No
Sidewalks	No	n/a	n/a	n/a	n/a

17. Public Improvement Permit Authorization - Indian Pine Village Subdivision Phase I (Fischione Const., Inc.) Outstanding Items Only:

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Detention Basin	Yes	No	No	No	n/a
Street Lights	Yes	No	No	n/a	No

18. Public Improvement Permit Authorization - Indian Pine Village Subdivision Phase II (Fischione Construction)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Water Line	Yes	No	No	n/a	No
Pavement and Curbs	Yes	No	No	No	No
Storm Sewers	Yes	No	No	n/a	No
Detention Basin	Yes	No	No	No	n/a
Street Lights	No	No	No	n/a	No
Sidewalks	No	n/a	n/a	n/a	n/a

19. Public Improvement Permit Authorization - Lake Forest Subdivision, Phase I (Dana Warman) Outstanding Items Only:

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Detention Basin	Yes	No	No	No	n/a

20. Public Improvement Permit Authorization - Larkspur Acres Subdivision, (Andrusz & Schmid Dev.) Outstanding Items Only:

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Water Line	Yes	Yes	No	n/a	Yes
Pavement and Curbs	Yes	Yes	Yes	***	Yes
Storm Sewers	Yes	Yes	Yes	n/a	Yes
Detention Basin	Yes	No	No	No	n/a
Street Lights	Yes	2-3-92	Yes	n/a	Yes
Sidewalks	Yes	n/a	n/a	n/a	n/a

*** Deed received but not yet filed.

21. Public Improvement Permit Authorization - Liberty Square Subdivision (Dana Warman) Outstanding Items Only:

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Detention Basin	Yes	No	No	No	n/a
Sidewalks	No	n/a	n/a	n/a	n/a

25 X

32X1

22. Public Improvement Permit Authorization - Meadowlands Subdivision
(Bosse) Outstanding Items Only:

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Detention Basin	Yes	No	No	No	n/a
Street Lights	Yes	Yes	Yes	n/a	No
Sidewalks	No	n/a	n/a	n/a	n/a

23. Public Improvement Permit Authorization - Pine Tree Farm, Phase I
(Josela - East off Aurora Street) Outstanding Items Only:

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Pavement and Curbs	Yes	Yes	Yes	***	Yes
Detention Basin	Yes	No	No	No	n/a

*** Deed received but not yet recorded.

24. Public Improvement Permit Authorization - Pine Tree Farm, Phase II
(Josela - East off Aurora Street) Outstanding Items Only:

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Pavement and Curbs	Yes	Yes	Yes	No	Yes

25. Public Improvement Permit Authorization - Southpoint Subdivision, Phase I
(Josela) Outstanding Items Only:

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
E. Detention Pond	Yes	No	No	No	n/a
W. Detention Pond	Yes	No	No	No	n/a

26. Public Improvement Permit Authorization - Stony Brook, Phase I
(Marrano2) Outstanding Items Only:

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Pavement & Curbs	Yes	Yes	Yes	***	Yes
Detention Area 1	Yes	No	No	No	n/a
Detention Area 2	Yes	No	No	No	n/a

*** Deed received but not yet filed.

27. Public Improvement Permit Authorization - Stony Brook, Phase II
(Marrano) Outstanding Items Only:

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Detention Area	Yes	No	No	No	n/a
Street Lights	Yes	No	No	n/a	No

28. Public Improvement Permit Authorization - Stony Brook, Phase III
(Marrano)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Detention Pond	Yes	No	No	No	n/a

32X1

STATUS REPORT ON UNFINISHED BUSINESS (CONT'D)29. Public Improvement Permit Authorization - Warnerview Estates, Phase I
(Donato) Outstanding Items Only:

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Detention Basin	Yes	No	No	No	n/a

30. Public Improvement Permit Authorization - Warnerview Estates, Phase II
(Donato)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Water Line	Yes	Yes	Yes	n/a	No
Pavement and Curbs	Yes	Yes	Yes	Yes	No
Storm Sewers	Yes	Yes	Yes	n/a	No
Detention Basin	n/a	n/a	n/a	n/a	n/a
Street Lights	Yes	No	No	n/a	No
Sidewalks	Yes	n/a	n/a	n/a	n/a

31. Public Improvement Permit Authorization - Willow Ridge Subdivision
(Cimato Bros.) Outstanding Items Only:

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Detention Basin	Yes	No	No	No	n/a

32. Public Improvement Permit Authorization - Windsor Ridge Subdivision, Phase I (M. J. Peterson)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Water Line	Yes	No	No	n/a	No
Pavement and Curbs	Yes	No	No	No	No
Storm Sewers	Yes	No	No	n/a	No
Detention Basin	Yes	No	No	No	n/a
Street Lights	No	No	No	n/a	No
Sidewalks	No	n/a	n/a	n/a	n/a

33. Rezone Petition - Fox Valley Estates

On November 19, 1991, this matter was referred to the Planning Board for review and recommendation. On December 4, 1991 the Planning Board recommended approval of this proposed rezone. On February 24, 1992, the Municipal Review Committee adopted a Positive SEQR Declaration on this matter.

34. State Contract Grant - 40 Clark Street Museum.
Application for grant has been filed.35. Subdivision Approval - Bowen Road Square (Off Bowen Road)

On August 30, 1990, the developer tendered to the Town Clerk a subdivision filing fee of \$1,135.00. On August 1, 1990, the Planning Board approved the preliminary plat for this development subject to three conditions. On January 22, 1991, the Municipal Review Committee tabled their SEQR Review decision pending receipt of additional data from the petitioner.

32X1

STATUS REPORT ON UNFINISHED BUSINESS (CONT'D)

36. Subdivision Approval - Coventry Green Townhouse (Off Transit Road)
On October 10, 1990, the developer tendered to the Town Clerk an Application for Approval of Subdivision Preliminary Plat Plan along with a filing fee of \$1,150.00. On July 11, 1990, the Planning Board approved the sketch plan for this development under the name of "Meadow Wood Townhouses" which was subsequently changed to "Coventry Green Townhouses". On January 22, 1991, the Municipal Review Committee adopted a Negative SEQR Declaration on this matter. On February 6, 1991, the Planning Board approved the Preliminary Plat Plan subject to revisions to drainage, grading and paving plans. On April 2, 1991, the developer filed a final plat with the Building Inspector for review and distribution to the Town Board. On May 6, 1991, the Town Board approved the final plat for this development and authorized the filing of a map cover in the Erie County Clerk's office. On June 3, 1991, the developer filed seven linens of the final plat with the Town Clerk. The Town Clerk is presently awaiting verification of the linen final plat from the Supervisor, Building Inspector, and Chief of Police. On August 5, 1991, the Town Board re-approved this map cover because it was not timely filed within 60 days of the May 6, 1991, Town Board approval. This item remains on agenda until map cover is filed. On January 28, 1992, the developer requested another re-approval of the map cover due to failure to file within 60 days. On February 24, 1992, the Town Board re-approved this map cover. This item remains on agenda until map cover is filed.
37. Subdivision Approval - The Crossings (Off Erie St.)
On June 5, 1989, the developer tendered to the Town Clerk a subdivision filing fee of \$590.00. On October 7, 1991, the Municipal Review Committee adopted a Negative SEQR Declaration on this matter. On December 2, 1991, the Building Inspector transmitted an application for sketch plan approval to the Planning Board for review.
38. Subdivision Approval - East Brook Estates (Off Bowen Road)
This matter awaits formal filing with the Town Clerk. No engineering review fee has been received.
39. Subdivision Approval - Fox Valley Estates (Off Peppermint Road)
On November 22, 1991, an application for subdivision sketch plan approval was filed with the Building Inspector and distributed to various reviewers.
40. Subdivision Approval - Glen Hollow (off William St.)
On January 22, 1992, an application for subdivision sketch plan approval was filed with the Building Inspector and distributed to various reviewers. On February 5, 1992, the Planning Board approved a sketch plan for this subdivision. On March 16, 1992, the Municipal Review Committee adopted a Negative SEQR Declaration.
41. Subdivision Approval - Golfe Creek Town Homes (formerly Country Club Commons) (Townhouses - Off Broadway West of the Lancaster Country Club)
On July 9, 1990, the Municipal Review Committee adopted a Negative SEQR Declaration on this matter. On October 24, 1990, the Building Inspector transmitted an Application for Sketch Plan Approval to the Planning Board for review. On November 7, 1990, the Planning Board approved the sketch plan for this development. On November 21, 1990, the developer tendered to the Town Clerk an Application for Approval of Subdivision Preliminary Plat Plan along with a filing fee of \$1090.00. On November 28, 1990, the Planning Board approved the Preliminary Plat Plan. On February 1, 1991, the developer filed a final plat with the Building Inspector for review and distribution to the Town Board. On February 11, 1991, the Town Attorney notified the developer that the final plat was not sufficient. On June 17, 1991, the Town Board approved the final plat for this development and authorized the filing of a map cover in the Erie County Clerk's Office. On August 19, 1991, the Town Board approved a name change for this project to Golfe Creek Town Homes and authorized the filing of a map cover in the Erie County Clerk's office under that name. This item remains on the agenda until the map cover is filed.

STATUS REPORT ON UNFINISHED BUSINESS (CONT'D)**42. Subdivision Approval - Indian Pine Village, Phase II**

On October 9, 1990, an application for sketch plan approval was filed with the Building Inspector and referred to the Planning Board for review. On May 7, 1991, the developer filed a final plat with the Building Inspector for review and distribution to the Town Board. On May 15, 1991, the Planning Board approved the final plat as a sketch plan and directed the developer to proceed with a revised final plat incorporating a redesign of the detention area. On May 22, 1991, the Town Engineer approved engineering plans. On June 13, 1991, at a special Planning Board Review, as requested by the Town Board, the Planning Board rectified their approval of May 15, 1991. On August 5, 1991, the Town Board approved the final plat for this development and authorized the filing of a map cover in the Erie County Clerk's office. This item remains on agenda until map cover is filed. On October 7, 1991, the Town Board re-approved a revised map cover with a twenty (20) feet rather than fifteen (15) feet sewer easement. On January 27, 1992, the developer requested another re-approval of the map cover due to failure to file within 60 days. On February 24, 1992, the Town Board re-approved this map cover. This item remains on the agenda until map cover is filed. On March 6, 1992, this subdivision map was filed with the County under Map Cover No. 2608. This item will be removed from future Town Board agendas and a copy of this text will be placed in the file for this subdivision.

43. Subdivision Approval - Lake Forest South (Off Lake Avenue)

On March 19, 1991, the Town Board approved the final plat for this subdivision and authorized the filing of a map cover in the Erie County Clerk's Office. This item remains on agenda until map cover is filed.

44. Subdivision Approval - Parkedge (Off William Street)

On October 18, 1989, the Planning Board approved the sketch plan for this project. On March 6, 1991, an application for preliminary plat approval was filed with the Town Clerk and referred to the Building Inspector for distribution to various reviewers. On March 6, 1991, a \$1285.00 subdivision filing fee was received by the Town Clerk. On May 6, 1991, the SEQR Municipal Review Committee adopted a negative declaration.

45. Subdivision Approval - Stony Brook Subdivision, Phase III (South Side of Pleasant View Drive)

Sketch Plan approval and SEQR Review was accomplished for the entire subdivision with Phase I approvals. On June 10, 1991, an application for preliminary plat approval plus a \$1255.00 review fee was filed with the Town Clerk. On June 11, 1991, the preliminary plat plan was distributed by the Building Inspector to various reviewers. On June 19, 1991, the Planning Board approved the preliminary plat noting that all stub streets in Phase III must be paved immediately after layout approval. On February 24, 1992, the Town Board approved this subdivision. On March 12, 1992 this subdivision was filed with the County Clerk under Map Cover No. 2609. This item will be removed from future Town Board agendas and a copy of this text will be placed in this file for this subdivision.

46. Subdivision Approval - Stony Brook Phase IV -

On March 16, 1992, an application for subdivision sketch plan approval was filed with the Building Inspector and distributed to various reviewers.

25x1

32x1

STATUS REPORT ON UNFINISHED BUSINESS (CONT'D)

47. Subdivision Approval - Towne Square Townhouses (Broadway east of Bowen)
This project was in the process of approval prior to adoption of the current zoning ordinance and is therefore a grandfathered project. On July 9, 1990, the Municipal Review Committee adopted a SEQOR Negative Declaration on this project. On January 16, 1991, the Planning Board recommended approval of the project subject to the Town Board's resolution of three Planning Board concerns. On June 17, 1991, the Town Board approved the final plat for this development and authorized the filing of a map cover in the Erie County Clerk's office. On February 24, 1992 the Town Board re-approved the filing of a map cover. This item remains on the agenda until map cover is filed.
48. Subdivision Approval - Thruway Industrial Park (Off Gunville Rd.)
On October 4, 1989, the Planning Board approved the site plan for this subdivision. On October 13, 1989, the developer tendered to the Town Clerk a subdivision filing fee of \$415.00. On August 6, 1990, the Town Board adopted a SEQOR negative declaration on this matter.
49. Subdivision Approval - Woodgate (Josela - Off Aurora St.)
On August 1, 1989, the developer tendered to the Town Clerk a subdivision filing fee of \$1350.00. On September 6, 1989, the Planning Board approved a sketch plan for this subdivision. On November 20, 1989, a SEQOR negative declaration was adopted. On April 3, 1991, the Building Inspector transmitted to the Town Board a revised preliminary plat showing the U.S. Corps of Engineers wetlands within the project. On June 19, 1991, the Planning Board approved the revised preliminary plat. On December 16, 1991, the Town Board approved this final plat for this development and authorized the filing of a map cover in the Erie County Clerk's Office. On March 16, 1992, the Town Board re-approved this final plat because the developer failed to file the map cover within 60 days. This item remains on the agenda until the map cover is filed.

PERSONS ADDRESSING THE TOWN BOARD:

Joseph Juczak, 600 Pleasant View Drive, spoke to the Town Board about development on Ward Road, specifically drainage problems, acceptance of Walden Pond Park, the weight limits on Stony Road, the cost of road signs, and the cost of a proposed bridge linking Forestream and Southpoint Subdivisions.

Mr. Paul Kuwik, 25 Quincy Avenue spoke to the Town Board about the proposed location sites of a new senior citizen's center.

32X1

COMMUNICATIONSDISPOSITION

145. Krehbiel Assoc. to Town Board - Recommend approval, with conditions, of dumping permit for David C. Kral.	<u>R & F</u>
146. Building Inspector to Town Board - Recommend approval of dumping permit for David C. Kral.	<u>R & F</u>
147. Town Clerk to Building Inspector - Request action be taken re: James Jagiello d/b/a Thrill Seekers.	<u>INVESTIGATING</u> <u>COMMITTEE</u>
148. Town Clerk to Supervisor - Monthly report for February 1992.	<u>R & F</u>
149. Citizen Action of N.Y. to Town Clerk - Notice of door-to-door canvass from 5/1-7/31.	<u>R & F</u>
150. Receiver of Taxes to Town Board - Report of 1992 County/Town tax warrant.	<u>R & F</u>
151. County Comm. of Finance to Assessor - Response re: deleted parcels and I.D.A. in lieu of tax billings.	<u>CHAIRMAN-INDUSTRIAL</u> <u>DEVELOPMENT AGENCY</u>
152. Town Attorney to Supervisor - Advisement re: public input - SEQOR meetings.	<u>R & F</u>
153. Supervisor to Town Board - Request change of title for Rose Piccolo from Principal Clerk to Highway Maintenance Clerk.	<u>R & F</u>
154. Same as No. 145.	
155. Planning Board to Town Board - Minutes from meeting held 3/4/92.	<u>R & F</u>
156. Planning Board to Town Board - Recommend approval in "concept" re: Electrosynthesis site plan - Ward Rd.	<u>R & F</u>
157. Michael Metzger to Town Board - Expression of appreciation for being considered for position of Town Engineer.	<u>R & F</u>
158. Krehbiel Associates to Town Board - Comments and observations re: Townview Apartments site plan - Broadway.	<u>PLANNING COMMITTEE</u> <u>TOWN ENGINEER</u>
159. County Dept. of Health to Town Board - Comments and transmittal of approval plan re: water line replacement - Transit Rd. at Slate Bottom Creek.	<u>R & F</u>
160. Town Clerk to Media - Notice of SEQOR meetings to be held 3/16/92 and 3/23/92.	<u>R & F</u>
161. Town Clerk to William Kornacki - Notification of denial of 1992 license to sell used motor vehicles.	<u>R & F</u>
162. William Kornacki to Town Clerk - Letter of intent to correct alleged violations re: license to sell used motor vehicles.	<u>R & F</u>
163. Erie County Assoc. of Supt. of Highways to Town Clerk - Request reconsideration be given re: Mutual Aid.	<u>PUBLIC SAFETY</u>
164. D.C.O. to Town Board - Request use of D.C.O. computer.	<u>PROPERTY MANAGER</u>

COMMUNICATIONS**DISPOSITION**

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| 165. Friends of Broadway, Village of Lancaster Historic District Comm. and Depew-Cheektowaga Taxpayers Assoc. to Town Clerk -
Petition opposing widening of Broadway. | PLANNING COMMITTEE |
| 166. Building Inspector to Southpoint Homes -
Directive re: foundation of dwelling situate at 16 Hillside Pkwy. | PLANNING COMMITTEE |
| 167. Town Clerk to Building Inspector -
Notification of failure of developer to meet conditions within resolution accepting Liberty Square Subdivision. | TOWN CLERK |
| 168. Town Clerk to Building Inspector -
Notification of failure of developer to meet conditions within resolution accepting Hidden Hollow Subdivision. | TOWN CLERK |
| 169. Building Inspector to Town Board -
Transmittal of letter from Krehbiel Assoc. concerning drainage improvements for West Warner Estates. | R & F |
| 170. Committee for Metro Services to Town Clerk -
Notice of conference to be held 3/18/92 in Buffalo. | R & F |
| 171. Josela Enter. to Town Clerk -
Request re-approval of Woodgate Subdivision. | R & F |
| 172. LVAC to Town Clerk -
Recommendation of addition of members to roster. | R & F |
| 173. Youth Bureau to Town Board -
Request adoption of fee structure for the 1992 summer programs. | R & F |
| 174. Combined Hazmat Team to Town Board -
Proposal. | TOWN ATTORNEY |
| 175. Youth Bureau to Town Board -
Request appointment of two tutors. | R & F |
| 176. Secretary to the Supervisor to Town Board -
Request unpaid leave of absence for period 3/30-4/3/92. | R & F |
| 177. County Dept. of Public Works to Supervisor -
Response to inquiry re: traffic signal at Como and Penora. | PUBLIC SAFETY |
| 178. Depew-Lancaster Boys & Girls Club, Inc. to Town Board -
Request permission to hold 15th Annual 10K race on 7/4/92. | CHIEF FOWLER |
| 179. Belmont Shelter Corp. to Town Board and Planning Board Chair. -
Comments re: proposed Townview Apartments Development. | PLANNING COMMITTEE |
| 180. P & R Casilio Enterprises to Building Inspector -
Request granting of relief from requirement of placing sidewalks re: Thruway Industrial Park. | SIDEWALK COMMITTEE |

ON MOTION OF COUNCILMAN VAN NORTWICK, AND SECONDED BY THE ENTIRE TOWN BOARD AND CARRIED, the meeting was adjourned at 9:10 P.M.

Signed Robert P. Thill
Robert P. Thill, Town Clerk

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